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July 6, 2006

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Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 09/830,968; § 371 Date: November 6, 2001

Method for the Massive Culture of Cells Producing Recombinant

Human Erythropoietin

Inventors:

Carcagno et al.

Our Ref:

1909.0040002/JAG/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Supplemental Reply Under 37 C.F.R. § 1.111; and
- 2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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PAJ/krc **Enclosures**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carcagno et al.

Appl. No.: 09/830,968

§ 371 Date: November 6, 2001

For: Method for the Massive Culture of Cells Producing Recombinant

Human Erythropoietin

Confirmation No.: 7301

Art Unit: 1633

Examiner: Kaushal, Sumesh

Atty. Docket: 1909.0040002/JAG/PAJ

Supplemental Reply Under 37 C.F.R. § 1.111

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The Office mailed a Notice of Non-Compliant Amendment on June 9, 2006, as the Reply Under 37 C.F.R. § 1.111 filed March 29, 2006 allegedly failed to meet the requirements of 37 C.F.R. § 1.121 by failing to include a complete listing of all the claims. Since no claim amendments were made in the Reply, Applicants submit that 37 C.F.R. § 1.121 (Manner of making amendments in applications) is not applicable. Nevertheless, in order to expedite prosecution, Applicants submit the following Supplemental Reply which includes a complete listing of all of the claims in ascending order and with status identifiers.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.